

**REQUEST FOR PROPOSAL #09-2209BG
LAND ACQUISITION and RELOCATION SERVICES**

Manatee County, a political subdivision of the State of Florida (hereinafter "Manatee County" or the "County") will receive proposals from individuals, corporations, partnerships, and other legal entities authorized to do business in the State of Florida, for the purpose of providing Land Acquisition and Relocation Services.

TIME AND DATE DUE: Proposals will be received until **10:00A.M. July21, 2009**, at which time they will be publicly opened. All interested parties are invited to attend this opening.

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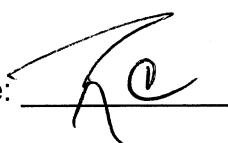
**Important note: A prohibition of Lobbying
has been enacted with the issuance of this Request for Proposal**

Please review paragraph A.18 carefully to avoid violation and possible sanctions.

FOR INFORMATION CONTACT:

Blair C. Getz, Contracts Negotiator, Purchasing Division at (941) 749-3053
OR

Barbara Carter, Property Management, Property Acquisitions Div. Mgr.
at (941) 749-3009

Authorized to Release: 

SECTION A: INFORMATION TO PROPOSERS

PROPOSERS MUST COMPLY WITH THE FOLLOWING INSTRUCTIONS TO BE CONSIDERED FOR SELECTION.

A.01 OPENING LOCATION

These proposals will be publicly opened at Manatee County Purchasing, 1112 Manatee Avenue West, 8th Floor, Suite 803, Bradenton, Florida 34205, in the presence of County officials at the time and date stated on the cover sheet. All Proposers or their representatives are invited to attend.

Proposals become "Public Records" ten (10) days after the proposal opening or if an award decision is made earlier than this time as provided by Florida Statute 119.071. **No announcement of pricing or review of the proposal documents shall be conducted at the public opening of the proposals.**

A.02 BID INFORMATION AND BID DOCUMENTS

Bids and Proposals on <http://www.mymanatee.org>

Bid or Proposal documents and the Notices of Source Selection related to those Bids or Proposals are available for download in a portable document format (.PDF) file on the Manatee County web page on the Purchasing tab under "Bids and Proposals." You may view and print these files using Adobe Acrobat software. You may download a free copy of this software (Adobe) from the County's web page if you do not have it.

Manatee County collaborates with the Manatee Chamber of Commerce on distributing solicitations using the RFP Tool web page on the Chambers website: <http://www.Manateechamber.com> to post Bid and Proposal documents in a portable document format (.PDF) file. This step is in addition to the posting on Manatee County Government web pages.

Manatee County may also use an internet service provider to distribute Bids and Proposals. A link to that service <http://www.DemandStar.com>, is provided on this website under the Tab "DemandStar". Participation in the DemandStar system is not a requirement for doing business with Manatee County.

Complete individual CD's of the proposal documents for the project and/or products can be obtained from **Property Management Department, Nicole Benshoff, Phone number 941-748-4501 EXT. 6286 between the hours of 8:00 am and 4:00 pm, Monday through Friday at no charge.** Complete set of the proposal documents must be used in preparing proposals. Neither Owner nor Engineer assumes any responsibility for errors of misinterpretations resulting from the use of incomplete sets of proposal Documents.

A.02 (CONTINUED)

Electronic copies of Bid or Proposal documents may be requested at no cost per Florida Statute 119.01 (2) (e). These files in PDF format may be obtained by calling the person or persons identified to contact on page one.

Note: The County posts the Notice of Source Selection seven calendar days prior to the effective date of the award.

IT IS THE RESPONSIBILITY OF EACH PROPOSER, PRIOR TO SUBMITTING THEIR BID or PROPOSAL, TO CONTACT THE MANATEE COUNTY PURCHASING OFFICE (see contact information on page one of this document) TO DETERMINE IF ADDENDA WERE ISSUED AND TO MAKE SUCH ADDENDA A PART OF THEIR BID or PROPOSAL.

Tabulation Sheets and/or Award Document/Recommendations appear on the DemandStar web page.

Notices of Source Selections appear on the DemandStar web page when the solicitation was made using this bid or proposal delivery service and the County's web page www.mymanatee.org (Financial Management – Purchasing Division).

A public internet connection is available during regular business hours in the lobby of the Purchasing Division. If you have questions which cannot be answered by these sources, please contact the individual named on the front page of the bid or proposal.

Please contact the individual named on the first page of this bid or proposal document, if you have questions on this instruction.

A.03 PROPOSAL FORM DELIVERY REQUIREMENTS

Any proposals received after the stated time and date will not be considered. It shall be the sole responsibility of the Proposer to have their proposal delivered to the Manatee County Purchasing office for receipt on or before the stated time and date.

If a proposal is sent by U.S. Mail, the Proposer shall be responsible for its timely delivery to the Purchasing Office. Proposals delayed by mail shall not be considered, shall not be opened at the public opening, and arrangements shall be made for their return at the Proposer's request and expense.

A.04 CLARIFICATION & ADDENDA

Each Proposer shall examine all Request for Proposal documents and shall judge all matters relating to the adequacy and accuracy of such documents. Any inquiries, suggestions or requests concerning interpretation, clarification or additional information pertaining to the Request for Proposal shall be made in writing through the Manatee County Purchasing Office. The County shall not be responsible for oral interpretations given by any County employee, representative, or others. The issuance of a written addendum is the only official method whereby interpretation, clarification or additional information can be given.

If any addenda are issued to this Invitation for Proposals, the County will broadcast the addenda through DEMANDSTAR to "planholders" identified on this web service, however, it shall be the responsibility of each proposer, prior to submitting their proposal, to contact the Manatee County Purchasing Office (see contact information on page 1) to determine if addenda were issued and to make such addenda a part of their proposal.

A.05 SEALED & MARKED

Three (3) signed copies of your proposal shall be submitted in one sealed package, clearly marked on the outside "**Sealed Proposal #09-2209-BG**" / **Land Acquisition and Relocation Services** and addressed to:

Manatee County Purchasing
1112 Manatee Avenue West, Suite 803
Bradenton, FL 34205

A.06 LEGAL NAME

Proposals shall clearly indicate the legal name, address and telephone number of the Proposer which shall be the business entity registered with the State of Florida to provide **Land Acquisition and Relocation Services** which you have the authority to bind to directly perform the services and contractual duties to Manatee County. Proposals shall be signed above the typed or printed name and title of the signer. The signer shall have the authority to bind the Proposer to the submitted proposal.

A.07 PROPOSAL EXPENSES

All expenses for making proposals to the County are to be borne by the Proposer.

A.08 EXAMINATION OF OFFER

The examination of these proposals and the qualifications of the Proposer shall require a period of not less than one hundred twenty (120) calendar days from the date of the opening of the proposals.

A.09 DISCLOSURE ...

Upon receipt, all inquires and responses to inquires related to this Invitation For Bid or Request For Proposal become "Public Records" and are subject to public disclosure consistent with Chapter 119, Florida Statutes.

Bids or Proposals become "Public Records" ten (10) days after the proposal opening or if an award decision is made earlier than this time as provided by Florida Statue 119.071, No announcement or review of the bid or proposal documents shall be conducted at the public opening of the proposals.

Based on the above, Manatee County will receive the Bid or Proposal at the date and time stated, and will make public at the opening the names of the business entities of all that submitted an offer and any amount presented as a total offer without any verification of the mathematics or the completeness of the offer. Upon the expiration of the Statutory term for exemption the actual documents may be inspected or copied.

A.10 ERRORS OR OMISSIONS

Once a proposal is submitted, the County shall not accept any request by any proposer to correct errors or omissions in the proposal. No changes shall be allowed until a selection is made and contract negotiations actually begin.

A.11 RESERVED RIGHTS

The County reserves the right to accept or reject any and/or all proposals, to waive irregularities and technicalities, and to request resubmission. Any sole response received by the first submission date may or may not be rejected by the County, depending on available competition and timely needs of the County. The County reserves the right to award the contract to a responsible Proposer submitting a responsive proposal, with a resulting negotiated agreement which is most advantageous and in the best interests of the County. The County shall be the sole judge of the proposal, and the resulting negotiated agreement that is in its best interest and its decision shall be final. Also, the County reserves the right to make such investigation as it deems necessary to determine the ability of any Proposer to perform the work or service requested. Information the County deems necessary to make this determination shall be provided by the Proposer. Such information may include, but shall not be limited to: current financial statements prepared by an independent CPA; verification of availability of equipment and personnel; criminal background information of any Proposer, its employees, agents and personnel; and past performance records.

A.12 APPLICABLE LAWS ...

Bidder or Proposer must be authorized to transact business in the State of Florida. All applicable laws and regulations of the State of Florida and ordinances and regulations of Manatee County will apply to any resulting agreement. Any involvement with any Manatee County procurement shall be in accordance with Manatee County Purchasing Code Ordinance 08-43, as amended. Any actual or prospective Bidder or Proposer who is aggrieved in connection with the solicitation or award of a contract may protest to the Board of County Commissioners of Manatee County as required in Section 2-26/61 of the Purchasing Code.

A protest with respect to this Invitation For Bid or Request for Proposal shall be submitted in writing prior to the scheduled opening date of this proposal, unless the aggrieved person did not know and could not have been reasonably expected to have knowledge of the facts giving rise to such protest prior to the scheduled opening date of this proposal. The protest shall be submitted within seven calendar days after such aggrieved person knows or could have reasonably been expected to know of the facts giving rise thereto.

A.13 CODE OF ETHICS ...

With respect to this proposal, if any Bidder or Proposer violates or is a party to a violation of the Code of Ethics of Manatee County per Manatee County Purchasing Code Ordinance 08-43, Article 3, Ethics in Public Contracting, and/or the state of Florida per Florida Statutes, Chapter 112, Part III, Code of Ethics for Public Officers and Employees, such Bidder or Proposer may be disqualified from performing the work described in this proposal or from furnishing the goods or services for which the proposal is submitted and shall be further disqualified from submitting any future bids or proposals for work or for goods or services for Manatee County.

The County anticipates that all statements made and materials submitted in a proposal will be truthful. If a bidder or proposer is determined to be untruthful in its proposal or any related presentation, such bidder or proposer may be disqualified from further consideration regarding this Invitation for Bid or Request for Proposal.

A.14 COLLUSION

By offering a submission to this Request for Proposal the Proposer certifies the Proposer has not divulged to, discussed or compared his proposal with other Proposers and has not colluded with any other Proposer or parties to this proposal whatsoever. Also, Proposer certifies, and in the case of a joint proposal, each party thereto certifies, as to their own organization that in connection with this proposal:

- a. any prices and/or data submitted have been arrived at independently, without consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices and/or cost data, with any other Proposer or with any competitor;

A.14 COLLUSION (Continued)

- b. any prices and/or cost data quoted for this proposal have not been knowingly disclosed by the Proposer prior to the scheduled opening directly or indirectly to any competitor;
- c. no attempt has been made or will be made by the Proposer to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition;
- d. the only person or persons interested in this proposal as principal or principals is/are named therein and that no person other than therein mentioned has any interest in this proposal or in the contract to be entered into; and
- e. no person or agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees.

A.15 PROPOSAL FORMS

Proposals must be submitted in the format specified in Section B of this Request For Proposals. The contents of each proposal shall be separated and arranged with tabs in the same order as listed in the Subsections within Section B identifying the response to each specific item to facilitate an expedient review of all responses.

A.16 PUBLIC ENTITY CRIMES

In accordance with Section 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases or real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for Category Two (as of 1/01/2005 is \$25,000) for a period of 36 months from the date of being placed on the convicted vendor list.

A.17 DRUG FREE WORK PLACE

Drug Free Workplace Program: Manatee County Board of County Commissioners adopted a policy regarding maintaining a Drug Free Workplace, Resolution R-93-22. Proposers are asked to review the attached copy of the Resolution and provide either a certification of compliance with the program outlined in this Resolution or describe your firm's policy or program as it relates to maintaining a drug free workplace. This response will be considered with the other criteria described herein.

A.18 LOBBYING

After the issuance of any Request for Proposals or Invitations for Bids, prospective bidders, Proposers or any agent, representative or person acting at the request of such bidder or Proposer shall not contact, communicate with or discuss any matter relating in any way to the Request for Proposals or Invitation for Bids with any officer, agent or employee of Manatee County other than the Purchasing Manager or as directed in the Request for Proposals or Invitation for Bids. This prohibition begins with the issuance of any Request for Proposals or Invitation for Bids, and ends upon execution of the final contract or when the invitation or request has been canceled. Violators of this prohibition shall be subject to sanctions as provided in the Manatee County Procurement Code.

NOTE: If required Proposers or Bidders may obtain further clarification or explanation of Specifications and Scope of Services by contacting:

Barbara Carter, Property Acquisition Div. Mgr., Property Management Department

Phone: (941) 749-3009

Fax: (941) (941) 749-3007

Email: barbara.carter@mymanatee.org

NOTE: If required Proposers or Bidders may obtain further clarification or explanation, exclusive of the, specifications or the Scope of Services by contacting:

Blair C. Getz, Contracts Negotiator, Purchasing Division

Phone: (941) 749-3053

Fax: (941) 749-3034

Email: blair.getz@mymanatee.org

Any inquiries, suggestions or requests concerning interpretation, clarification or additional information pertaining to a REQUEST FOR PROPOSAL shall be made in writing.

DEADLINE FOR CLARIFICATION REQUESTS

July 12, 2009 shall be the deadline to submit all inquiries, suggestions, or requests concerning interpretation, clarification or additional information pertaining to the Invitation for Bids or the Request For Proposals to the Manatee County Purchasing Office.

This deadline has been established to maintain fair treatment for all potential bidders or proposers, while maintaining the expedited nature of the Economic Stimulus that the contracting of this work may achieve.

The County shall not be responsible for oral interpretations given by any County employee, representative, or others.

The issuance of a written addendum is the only official method whereby interpretation, clarification or additional information can be given.

The County reserves the right to amend or to add to the names listed as persons to contact and shall be issued in writing by the Purchasing Department.

A.19 PUBLIC CONTRACTING AND ENVIRONMENTAL CRIMES CERTIFICATION ...

County Commissioners adopted a policy prohibiting the award of County contracts to persons, business entities, or affiliates of business entities who have not submitted written certification to the County that they have not been convicted of bribery, attempted bribery, collusion, restraints of trade, price fixing, and violations of certain environmental laws. A Non-Conviction Certification Form is attached for In accordance with Ordinance 08-43, adding Article 5, Manatee County Board of this purpose.

A.20 EQUAL EMPLOYMENT OPPORTUNITY

Manatee County, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 and the Regulations of the Department of Commerce (15 CFR, Part 8) issued pursuant to such Act, hereby notifies all prospective Proposers that they will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to participate in response to this advertisement and will not be discriminated against on the grounds of race, color, creed, sex, age or national origin in consideration for an award.

A.21 AMERICANS WITH DISABILITIES ACT

The Board of County Commissioners of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the County's functions including one's access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation for the **public meetings** specified herein (i.e. Information Conference or Proposal Opening), should contact the person named on the first page of this document at least twenty four (24) hours in advance of the activity.

END OF SECTION A

SECTION B: FORM OF PROPOSAL

This section identifies specific information which must be contained within each proposal. **The contents of each proposal shall be separated and arranged with tabs in the same order as listed in Sections B.02 and B.03 below, identifying the response to each specific item.**

B.01 MINIMUM QUALIFICATIONS (Licensing) TO BE CONSIDERED: To qualify for any consideration, the Proposer must present documented proof that it has personnel currently prequalified by the Florida Department of Transportation and possess, if any, all licenses required by the State of Florida to perform the required Scope of Services contained herein.

MINIMUM EXPERIENCE TO BE CONSIDERED: To qualify for any consideration, the Proposer must present proof that they have fully provided services that (as closely as possible) match the specific Scope of Services detailed in this Request for Proposals, in the last five years.

If sub-consultants are included in the agreement given to meet the minimum qualifications, detail the business entities, description of the service provided, and responses in the same level of detail and tabbed order as instructed in this Request For Proposal for the proposer.

For each of the qualifying, provide the following details:

- a. Name and location of the Client, the year service began, the duration of the Service

Specify the name and telephone number for the Clients contract manager for the work; and
- b. The names of your firm's key staff and the responsibilities each would have as defined in the Scope of Services of this Request for Proposal.
- c. The name and telephone numbers of the persons representing the individual agencies with which the identified key staff directly worked; and
- d. Any state agency which verified compliance with its requirements or standards, and the names and telephone numbers of the key persons with direct knowledge of this process to achieve compliance.

B.01 MINIMUM QUALIFICATIONS (Continued)

Only upon determination that satisfactory responses have been provided to the preceding Minimum Qualifications and Experience, consideration shall be given to the following information:

B.02 ADMINISTRATIVE SUBMITTALS

The following documents shall be submitted with the proposal:

- a. Proposal Signature Form.
- b. Drug Free Workplace Certification.
- c. Public Contracting and Environmental Crimes Certification.

B.03 INFORMATION TO BE SUBMITTED

- a. Description of the proposer's **background and size**. Include a statement of qualifications that includes your firm's professional credentials and experience in providing the service enumerated in this Request For Proposal and the legal status of your organization.

- b. **Local Economic Impact: ...**

Specify the office and its' location of the business entity which is to be the primary location of the principal and key personnel. List the key personnel at that location. For the remaining key personnel detail at what location(s) they will work from and how they will provide management or technical support from the locations that they will work from.

Local Economic Impact: ...

- c. Submit a narrative **explaining the direct economic benefit to Manatee County to be realized by selecting your firm**. During the term of this engagement detail the employment, subcontracting, and support services contracting as economic stimulus that your entity may generate that would directly benefit Manatee County.

B.03 INFORMATION TO BE SUBMITTED (Continued)

- d. Identify each **principal of the firm and other “key personnel”** who will be professionally associated with the County. Describe their respective areas of expertise. Include personalized resumes which identify the qualifications, training and experience of each key personnel. Submit a list of subcontractors and sub consultants that may be used. Identify each individual on your analysis team and provide the following information:
- Name
 - Professional credentials
 - Title
 - Telephone number
 - Office address
 - Email address
 - Brief description of the individual's role and duties for the County
 - Individual resume
- e. Submit a **manning level statement** for your organization, detailing how many total employees work for your firm at any one time, including temporary, seasonal and part-time employees. List the ratios of full-time employees to part-time, temporary and seasonal employees.
- f. Response should provide detailed information on the approach you propose to accomplish the tasks stated in Section E, Scope of Service.
- g. Provide a **project or work plan** detailing how your firm would perform and meet the requirements of the Scope of Services and any additional services that may be offered as part of your proposal submission.
- h. Provide a list of at least **five (5) references (similar clients)** with knowledge of your firm's contract performance. References shall be employees in senior level management positions. Include the name of the entity, a description of the contract project, the dates of service and the name(s) and telephone number(s) of the contact persons.
- i. Provide a list of the **contracts your firm has obtained** within the past five (5) years, indicating the type of services provided and the locations. Provide a list of the contracts your firm has lost in the past five (5) years and state the reason for the loss and the location.

B.03 INFORMATION TO BE SUBMITTED (Continued)

- j. Provide a schedule of anticipated tasks to be performed in providing these services, include the documentation which the County will have to provide and when they would be required. Identify the major tasks and the suggested timeline for completion based on Scope of Service.
- j. Describe how your firm would assist in the interpretation of the evaluation.
- k. Provide a sample report that details your work product.
- l. Provide costs for the required services. Cost are to be detailed with each task of work proposed, including your response, Include each labor category, proposed hours, labor rates, travel and any other direct cost.

Exhibits "A" and "B" are to be completed by the Proposer, Additional Categories may be added to the Exhibits "A" and "B" if additional space is required utilize a separate sheet and attach to the appropriate Exhibit.

- m. Provide a statement of your firms in depth knowledge of the Florida Department of Transportation Land Acquisition Guidelines, the Federal Relocation Act (49-CFR) and CRA/CDBG grants. Barbara to provide Website
- n. Submit any other additional information which would assist the County in the evaluation of your proposal.

NOTE: The County reserves the right to make such investigation and solicit additional information or submittals as it deems necessary to determine the ability of any Proposer to perform the Scope of Services stated in this Request for Proposal.

END OF SECTION B

SECTION C: SELECTION

C.01 EVALUATION FACTORS

Evaluation factors shall be the proposals, which will overall best meet the needs of Manatee County, the perceived ability of the proposer to perform the Scope of Services as stated in this Request for Proposal, and the cost proposal for the proposed work as determined from the responses to this Request for Proposal and subsequent investigation by the County.

C.02 RELATIVE IMPORTANCE OF EVALUATION FACTORS

No weight has been assigned to the Evaluation Factors stated above.

C.03 PRELIMINARY RANKING

A Selection Committee may determine from the response to this Request for Proposal and subsequent investigation as necessary, the proposers most susceptible of being selected for award.

C.04 REVIEW OF PROPOSERS AND PROPOSALS

Review shall be conducted with responsible proposers who may be reasonably susceptible of being selected for award, for the purposes of clarification to assure full understanding of the abilities of the proposer, and the proposal submitted.

Proposers responding to this Request for Proposal shall be available for presentation/interviews to the Selection Committee and to the Board of County Commissioners upon notification from the Purchasing Office at a time and date determined by the County.

C.05 SELECTION FOR NEGOTIATION

The proposers whose ability and proposal is determined to be the most advantageous to the County, taking into consideration the evaluation factors set forth in this Request for Proposal, shall be recommended to the Board of County Commissioners for authorization to negotiate an agreement for the stated Scope of Services and the ultimate execution of Agreements as stated below in C.06 AWARD.

Note that all evaluation factors are considered without assigning a weight factor, and all terms, conditions, and costs are to be negotiated. Therefore, price shall not be either the sole evaluative factor, or the dominant factor in the making the recommendation.

C.05 (CONTINUED)

The recommendation or selection of proposers for negotiation shall not be construed as vesting any contractual or other rights of any nature in the proposers.

C.06 AWARD

Award of multiple agreements is subject to the successful negotiations and the vote of the Board of County Commissioners to authorize execution of the agreements.

END OF SECTION C**SECTION D: NEGOTIATION OF THE AGREEMENT****D.01 GENERAL**

The following general terms and conditions apply to the proposal submitted for consideration and the subsequent negotiations:

- a. The proposal will serve as a basis for negotiating an agreement.
- b. Upon submission, all proposals become the property of the County which has the right to use any or all ideas presented in any proposal submitted in response to this Request for Proposal whether or not the proposal is accepted.
- c. Pursuant to This Section "D" thru negotiations the Agreement shall remain in effect for a period of one (1) year, but may be renewed, thru mutual agreement of both parties, for four (4) additional periods, each of one (1) year.
- d. All products and papers produced in the course of this engagement become the property of the County upon termination or completion of the engagement.

D.02 AGREEMENT

The selected proposer or proposers shall be required to negotiate a formal agreement, in a form acceptable to Manatee County.

The Manatee County Board of County Commissioners will be presented the negotiated agreement as the best and final offer for consideration of award and execution. The Board of County Commissioners shall determine if award of the agreement is to be: considered; rejected and direct further negotiations; rejected and terminate negotiations; or accepted, authorizing the chairman to execute the agreement.

END OF SECTION D

SECTION E: SCOPE OF SERVICES

E.01 BACKGROUND

Property Acquisition is seeking services from acquisition companies to acquire certain real properties for road improvement, utility, drainage and park projects. Firms should be adverse in reading title report, right-of-way and construction drawings. Services would be to prepare the necessary documents, acquire the rights-of-way or easement and any Joinders or Partial Releases required for these conveyances. Knowledge of the relocation act, 49-CFR, is required due to some federally funded projects .

E.02 SCOPE OF SERVICES **LAND ACQUISITION / RELOCATION**

The general work scope for real property acquisition and other related services is as follows:

E.02.1 ACQUISITION

Negotiations

- a. Establish and maintain an accurate and complete working file for each parcel utilizing the County's number system, while transmitting all original documentation to the County or assignee on a weekly basis.
- b. Review title searches provided, including title work on submerged lands, and verify all title work through confirmation with the owner and corroborating any discrepancies through County property rolls and other necessary records.
- c. Review right-of-way, parcel sketches and construction plans provided by the County and provide comments when necessary.
- d. Verify that legal descriptions, right-of-way maps, construction plans, survey (if provided) and appraisal reports correspond with each other.
- e. Provide any project alert letters and/or correspondence to property owners as directed.
- f. Provide Notice to Property Owner by Certified Mail, if required, or any other notice letters requested by the County, prior to the initiating of negotiations for purchase.

E.02 SCOPE OF SERVICES (CONTINUED)

E.02.1 ACQUISITION (CONTINUED)

- g. Within thirty (30) days of receipt of appraisal report, initiate negotiations by making purchase offer including approved market value estimate and, if necessary, approved business damages. Requests to extend this time frame must be submitted within twenty (20) days of receipt of appraisal report.
- h. Conduct interviews with business owners to determine eligibility for potential damage claims and obtain appropriate documentation to support or refute their eligibility.
- i. Issue all applicable notices in accordance with County, State and Federal policies and procedures.
- j. Conduct negotiations for the acquisition of each parcel in accordance with all County and/or Federal policies and procedures.
- k. Conduct negotiations with the business owners regarding business damages, based on approved business damage report as part of normal acquisition negotiations.
- l. Thoroughly document all contacts with the property owners and/or their representatives.
- m. Submit suit information packages to the County or assignee on all parcels contained within a work request notice to proceed no later than ninety (90) days after date of issuance of the approved appraisal reports, unless an administrative settlement has been approved by the County. The Consultant shall continue up until the Order of Taking to use its best efforts to assist the County in reaching a settlement.

E.02.2 SETTLEMENTS AND CLOSINGS

- a. Receive and review counteroffers from property owners or their representatives for consideration by the County.
- b. When appropriate, prepare justifications and recommendations for administrative settlements and submit such recommendations to the County or assignee for approval and further handling.

E.02 SCOPE OF SERVICES (CONTINUED)**E.02.2 SETTLEMENTS AND CLOSINGS**

- c. Conduct all necessary closings and all related activities including, but not limited to: providing an updated title search, settlement letters (containing all terms and conditions negotiated with the property owner), satisfaction of all liens and encumbrances, recording of all title documents and collection of payment of prorated real estate taxes and documentary stamps, if required. An updated title search shall be provided by the Consultant within (24) hours prior to closing a parcel.
- d. Closing procedures shall be in a form that is acceptable and consistent with Manatee County guidelines and may be modified as deemed necessary by the Manatee County.

E.02.3 RELOCATION ASSISTANCE

- a. Comply with all requirements, policies and procedures of the State of Florida Department of Transportation and Manatee County in providing Relocation Assistance.
- b. Research, prepare, and maintain the Relocation Needs Assessment Survey Plan. Said plan shall include:
 - Relocation surveys
 - Accurate relocation schedules
 - Pertinent Census data
 - Results of field interviews with available applicants
 - Inventories of demographic characteristics and needs of individuals, families, and business operations to be displaced
 - An inventory of likely business damage candidates
 - Inventories of comparable decent, safe and sanitary replacement dwellings available for sale or rent
 - Inventories of available business relocation sites for sale or rent
 - Current relocation cost estimates
- c. Establish and maintain an accurate and complete working file for each displacee in accordance with the County's numbering system, while transmitting all original documentation to the County or assignee on a weekly basis.
- d. Issue notice of eligibility to all identified relocatees.
- e. Determine priority parcels based on relocation consideration and coordinate with appraisal and acquisition priorities.

E.02 SCOPE OF SERVICES (CONTINUED)**E.02.3 Relocation Assistance (CONTINUED)**

- f. Present all relocation offers to all eligible parties.
- g. Provide advisory assistance to all eligible parties.
- h. Maintain up-to-date surveys of available replacement housing and business sites.
- i. Disclose availability of comparable housing and business locations.
- j. Prepare claims packages and submit to the County or assignee for approval.
- k. Review any relocation appeals and submit with response for the County or assignee's review.
- l. Provide field surveillance and documentation of business and residential relocations when required.
- m. Deliver warrants to displacees.
- n. Issue and deliver notices to vacate property.
- o. Notify the County or assignee of needs for eviction notices.

File Retirement

Within thirty (30) days after title has been transferred, the Consultant's file and the County Record Management file shall be merged/consolidated to one file. The County or assignee shall review and approve the file to ensure that all requisite originals are included therein. The file will contain all necessary notices, correspondence, settlement letters and executed documents. A summary of all transactions shall be submitted in a form acceptable to the County.

E.02 SCOPE OF SERVICES (CONTINUED)

E.02.3 Relocation Assistance (CONTINUED)

Records Maintenance

- a. Maintain all files and distribute all documents in accordance with the requirements of the County.
- b. Assist the County with the maintenance of the official records management files as necessary to assure the integrity of the files by delivering parcel documentation to the County's County or other designated recipient on at least a weekly basis.
- c. Turn over all files to the County upon completion of the project or as requested by the County.
- d. All files shall be accessible and available to the County's County or assignee.

Production Control

- a. Develop and maintain a production reporting system tracking all critical events, both scheduled and actual, for each parcel on the project.
- b. Report on the complete status of right-of-way production on the project on a weekly basis. Relate current status to overall project schedule, noting executions and suggesting actions required to correct schedule exceptions. A bi-weekly production meeting with the County's County or assignee and appropriate Consultant personnel is required.
- c. Provide production information in a format acceptable to the County's Project Manager that is necessary to maintain the County's right-of-way control system and other production control systems.
- d. Consultant is responsible for preparing all documentation necessary for the initial right-of-way certification, as well as updates deemed necessary by the County.

E.02 SCOPE OF SERVICES (CONTINUED)

E.02.4 LITIGATION SUPPORT SERVICES – Acquisition Agent

The Consultant may be required to perform litigation support services on those parcels as set forth by the county. Litigation services may include, but will not be limited to the following:

- a. Compile and prepare a defendants' list (including but not limited to: owners, lien holders, easement holders, tenants, business owners and any other party that may have an interest in subject property), and condemnation suit package in a format acceptable to the Office of the County Attorney
- b. Pre-trial or pre-hearing preparation
- c. Participation in mediation proceedings
- d. Preparation of court exhibits
- e. Attendance at depositions, pre-trial, or other court hearings.
- f. Appearance at Order of Taking hearings or trials.
- g. Any other services deemed necessary by the assigned attorney to successfully litigate and defend the County's position in court including but not limited to production requests.

E.02.5 MISCELLANEOUS

- a. Subordination of Easements: Review title work, construction plans and/or right of-way maps to determine if there are any existing utility easements (or other easements) that may need to be subordinated as a result of the project. Prepare any necessary correspondence, memos, location maps, subordination Agreements and any other necessary documentation for submission of the Subordination Agreement(s) to the Manatee County Board of Commissioners Board for approval.

E.02 SCOPE OF SERVICES (CONTINUED)

E.02.5 MISCELLANEOUS

- b. Easements from other Government Agencies: Acquire property and /or easement rights over land owned by other government agencies through donation or purchase. Review title searches, plats, survey records, and any other documentation necessary in research of ownership. Prepare any necessary correspondence, memos, location maps, Agreements, Deeds, Easements and any other necessary documentation for submission to the appropriate governmental agency and if applicable, to the Manatee County Board of Commissioners.
- c. Any person employed by the Consultant for work on this project in any capacity shall be available to testify in any eminent domain proceeding upon request by the County.
- d. Consultant's Project Manager shall attend meetings and consult with local officials as requested by the County.
- e. Any updates and expert witness testimony will be designated by a separate Change Order upon knowledge of specific parcels that will necessitate this service.

E.02.6 INFORMATION PROVIDED BY MANATEE COUNTY

Manatee County will provide the following information to consultant for their use on this project.

- a. Construction plans as they become available
- b. Parcel sketches as they become available
- c. Right-of-Way Maps as they become available

NOTE: In any instance where County, State and/or Federal policies, procedures or guidelines are in conflict, the Consultant should contact Manatee County for direction on which policy, procedure or guideline to follow.

END OF SECTION E

SECTION F

MANATEE COUNTY LOCAL PREFERENCE LAW AND VENDOR REGISTRATION**F.01 Vendor Registration**

All vendors are encouraged to register with Manatee County using the on-line "Vendor Registration" web page on www.mymanatee.org.

Enclosed is a copy of the current Manatee County law that details the County's Local Preference and definition of a Local Business.

If you assert that your firm meets the stated definition of a Local Business, we ask that in addition to registering on the County's Web page, you fill out the attached "**Affidavit As To Local Business Form**" that is the **last page** in this section of the proposal, have the completed document notarized, and mail the original to the following address: Manatee County Administration Center, 1112 Manatee Avenue West, Suite 803, Bradenton, FL 34205.

Your cooperation in registering your business with Manatee County will enhance our opportunities to identify sources for goods and services, plus identify Local Businesses. This information is used for soliciting quotations up to \$250,000.00 and for competitive solicitations of larger purchases.

You will note that Manatee County collaborates with the Manatee Chamber of Commerce, posting bids on www.manateechamber.com as well as using the same vendor categories for registration.

Our staff can assist you with your registration as needed. Our office hours are 8:00 A.M. to 5:00 P.M., Monday through Friday on regular business days. Please call (941) 749-3014 if you wish to have a purchasing staff member assist you.

Quick steps to on line registration: **www.mymanatee.org**

A link to "Purchasing" is listed under the "Quick Links" on page one of this County Web Site.

On the left hand side of the Purchasing Web page, click on "Vendor Registration."

This will bring up the Vendor Registration form for on-line input. Please note that the definition of a "Local Business" changed on March 17, 2009. The Web page will be updated to include the current Law which has been provided in this section of the **proposal**.

Thank you for reviewing this information and considering registering your business with Manatee County. Registration is not mandatory, however, by taking the time to register, you are helping the County to provide timely notifications of quotation, bid, and proposal opportunities to your business.

MANATEE COUNTY LOCAL PREFERENCE LAW AND VENDOR REGISTRATION

F.02 Section 2-26-6. Local preference, tie bids, local business defined.

(a) Whenever a responsible local business bidder and a responsible non-local business bidder are found, upon the opening of bids, to have both submitted the lowest responsive bid, the bid of the local bidder shall be awarded the contract. Should more than one responsible local business bidder match the responsible non-local business bidder's lowest responsive bid, or should no responsible local business bidder match the lowest responsive bid but two or more responsible non-local business bidders submit lowest responsive bids for equal amounts, then the award of the contract shall be determined by a chance drawing, coin toss, or similar tie-breaking method conducted by the purchasing office and open to the public. Any bidders seeking to be recognized as local businesses for purposes of this local business preference provision may be required by the terms of the bid announcement to certify they meet the definition of local business set forth in this section, and to register as a local business with the county in the manner prescribed by the county to facilitate the county's ability to track the award of contracts to local businesses and to allow the county to provide future notifications to its local businesses concerning other bidding opportunities.

(b) Nothing herein shall be deemed to prohibit the inclusion of requirements with respect to operating and maintaining a local place of business in any invitation for bids when the bidder's location materially affects the provisions of the services or supplies that are required by the invitation.

(c) Local business is defined as a business legally authorized to engage in the sale of the goods and/or services to be procured, and which certifies within its bid that for at least six (6) months prior to the announcement of the solicitation of bids it has maintained a physical place of business in **Manatee, Desoto, Hardee, Hillsborough, Pinellas or Sarasota County with at least one full-time employees at that location.**

(d) Each solicitation for bids made by the county shall contain terms expressly describing the local business preference policies of the county, and shall provide that by electing to submit a bid pursuant to a request for bids, all bidders are deemed to understand and agree to those policies.

(e) For all contracts for architecture, professional engineering, or other professional services governed by Florida Statute § 287.055, the Consultants' Competitive Negotiation Act, the county shall include the local business status of a firm among the factors considered when selecting which firms are "most highly qualified." In determining which firm is the "most qualified" for purposes of negotiating a satisfactory contract, preference shall be given to a local business where all other relevant factors are equal.

(f) Local preference shall not apply to the following categories of contracts:

1. Goods or services provided under a cooperative purchasing agreement or similar "piggyback" contract;
2. Contracts for professional services subject to Florida Statute § 287.055, the Consultants' Competitive Negotiation Act, except as provided for in subsection (e) above;

F.02 Section 2-26-6. Local preference, tie bids, local business defined. (Continued)

3. Purchases or contracts which are funded, in whole or in part, by a governmental or other funding entity, where the terms and conditions of receipt of the funds prohibit the preference;
 4. Purchases or contracts made pursuant to a non-competitive award process, unless otherwise provided by this section;
 5. Any bid announcement which specifically provides that the general local preference policies set forth in this section are suspended due to the unique nature of the goods or services sought, the existence of an emergency as found by either the county commission or county administrator, or where such suspension is, in the opinion of the county attorney, required by law.
- (g) To qualify for local preference under this section, **a local business must certify to the County that it:**
1. Has not within the five years prior to the bid announcement admitted guilt or been found guilty by any court or state or federal regulatory enforcement agency of violation of any criminal law, or a law or administrative regulation regarding fraud;
 2. Is not currently subject to an unresolved citation or notice of violation of any Manatee County Code provision, except citations or notices which are the subject of a current legal appeal, as of the date of the bid announcement;
 3. Is not delinquent in the payment of any fines, liens, assessments, fees or taxes to any governmental unit or taxing authority within Manatee County, except any such sums which are the subject of a current legal appeal.

Ref: Ordinance 09-21 and 09-23 **PASSED AND DULY ADOPTED** in open session, with a quorum present and voting, on the 17th day of March, 2009.

**MANATEE COUNTY GOVERNMENT
AFFIDAVIT AS TO LOCAL BUSINESS
(Complete and Initial Items B-F)**

A. Authorized Representative

I, [name] _____, am the [title] _____

and the duly authorized representative of: [name of business] _____
_____, and that I possess direct personal knowledge to make informed responses to these certifications and the legal authority to make this Affidavit on behalf of myself and the business for which I am acting; and by electing to submit a **proposal** pursuant to this **Request For Proposals**, shall be deemed to understand and agree to the local business preference policies of Manatee County; and that I have the direct knowledge to state that this firm complies with all of the following conditions to be considered to be a Local Business as required by the Manatee County Code of Law, Section 2-26-6.

B. Place of Business: I certify that the above business is legally authorized to engage in the sale of goods and/or services and has a physical place of business in Manatee, DeSoto, Hardee, Hillsborough, Pinellas or Sarasota County with at least one (1) fulltime employee at that location. The physical address of the location which meets the above criteria is:

_____ [Initial]_____

C. Business History: I certify that business operations began at the above physical address with at least one fulltime employee on [date] _____ [Initial]_

D. Criminal Violations: I certify that within the past five years of the date of this **proposal** announcement, this business has not admitted guilt nor been found guilty by any court or local, state or federal regulatory enforcement agency of violation of any criminal law or administrative regulation regarding fraud. [Initial]_

E. Citations or Code Violations: I certify that this business is not currently subject to any unresolved citation or notice of violation of any Manatee County Code provision, with the exception of citations or notices which are the subject of a legal current appeal within the date of this **proposal** announcement. [Initial]_

F. Fees and Taxes: I certify that within this business is not delinquent in the payment of fines, liens, assessments, fees or taxes to any governmental unit or taxing authority within Manatee County, with the exception of those which are the subject of a legal current appeal. [Initial]_

Each of the above certifications is required to meet the qualification of "Local Business" under Manatee County Code of Law, 2-26-6.

Signature of Affiant _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this ____ day of _____, 20____, by (name of person making statement).

(Notary Seal) Signature of Notary: _____

Name of Notary (Typed or Printed) _____

Personally Known ____ OR Produced Identification ____ Type of Identification Produced _____

Submit executed copy to Manatee County Purchasing, Suite 803, 1112 Manatee Avenue W., Bradenton, FL 34205

PROPOSAL SIGNATURE FORM
RFP #09-2209BG
LAND ACQUISITION and RELOCATION SERVICES

Firm Name

Mailing Address:

() _____
Telephone Number

City, State, Zip Code

The undersigned attests to his (her, their) authority to submit this proposal and to bind the firm herein named to perform as per agreement. If the firm is selected by the County the undersigned certifies that he/she will negotiate in good faith to establish an agreement to provide Land Acquisition and Relocation Services, according to the requirements of this RFP #09-2209BG.

Signature

Witness Signature

Name and Title of Above Signer

Name and Title of Above Signer

Date: _____

Date: _____

Address of any branch office
Proposed to service Manatee County other than above

Name and Title of Firm's Representative & phone number for Manatee County

Phone Number _____

Exhibit "B"

SCHEDULE OF REIMBURSABLE & ADDITIONAL CHARGES

Expense of reproduction beyond the costs associated with providing monthly status, invoices, reports and routine correspondence:

Plan Sheet (24" x 36")	\$ _____ per sheet
Plan Sheet (oversize)	actual cost
Color Photo Copies (8-1/2" x 11")	\$ _____ per page
Copy Machine Reproductions	\$ _____ per copy

Actual charges for long distance telephone calls, including applicable local, state and federal taxes, but excluding those made to Manatee, Sarasota, Orange, Polk, Pinellas or Hillsborough Counties, as documented by copies of original invoices.

Travel at the written request of County to be reimbursed in accordance with the limitations provided in Florida Statute 112.061, excluding travel in Manatee, Sarasota, Orange, Polk, Pinellas or Hillsborough Counties.

Per Diem	\$36.00 per day
Hotel Accommodations	actual cost
Mileage	\$.445 per mile

Actual charges for application fees charged in the process of obtaining the permits outlined in the scope of work as documented by copies of original invoices.

Actual charges for Courier Service furnished at the request of County, at rates not to exceed \$9.00 per package and to be documented by copies of original invoices.

Actual time for computer modeling service at rates not to exceed \$12.00 per hour as documented by copies of records of service use.

Actual direct costs of subconsultants and subcontractors approved by the Contract Manager, plus an administrative fee of 10%.

ATTACHMENT "A"

RESOLUTION R-93-22

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, IMPLEMENTING §3-101(7)3(1) OF THE MANATEE COUNTY PROCUREMENT CODE (ORDINANCE 84-02 AS AMENDED) TO ESTABLISH MINIMUM REQUIREMENTS FOR BIDDERS WITH RESPECT TO MAINTAINING A DRUG FREE WORKPLACE; REQUIRING WRITTEN CERTIFICATION TO THE COUNTY OF COMPLIANCE WITH THE REQUIREMENTS ESTABLISHED HEREIN; AND PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Manatee County recognizes that substance abuse is a complex societal problem that continues to threaten the welfare of the residents and community; and

WHEREAS, the Board of County Commissioners considers substance abuse on the job to be an unsafe and counter-productive work practice; and

WHEREAS, consistent with its policy to promote a safe work environment and encourage personal health for all citizens of Manatee County, the Commission finds it necessary to combat substance abuse in the workplace by promoting education and awareness; and

WHEREAS, consistent with the Drug Free Workplace Act (§112.0455, Florida Statutes) and policies applicable to Manatee County employees pursuant to Resolution R-93-10, the Board of County Commissioners of Manatee County has determined that it is necessary and in the best interest of the County to adopt the drug free workplace requirements for persons or entities contracting with Manatee County; and

WHEREAS, §3-101(7)B of the Manatee County procurement Code (Ordinance 84-02, as amended) authorizes the adoption of requirements for maintaining a drug free workplace applicable to persons or entities bidding on contracts with Manatee County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Manatee county, Florida, as follows:

1. **Certification Required:** No person or entity submitting a bid pursuant to §3-101 shall be awarded or receive a county contract for public improvements, procurement of goods or services (including professional services) or a county lease

franchise, concession or management agreement, unless such person or entity has submitted a written certification to the county that it will provide a drug free workplace by:

- a. Providing a written statement to each employee notifying such employee that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance as defined in §893.02(4), Florida statutes, as the same may be amended from time to time, in the person's or entity's workplace is prohibited specifying the actions that will be taken against employees for violation of such prohibition. Such written statement shall inform employees about:
 - (i) the dangers of drug abuse in the workplace;
 - (ii) the person's or entity's policy of maintaining a drug free environment at all its workplaces, including but not limited to all locations where employees perform any task relating to any portion of such contract, business transaction or grant;
 - (iii) any available drug counseling, rehabilitation, and employee assistance programs; and
 - (iv) the penalties that may be imposed upon employees for drug abuse violations.
- b. Requiring the employee to sign a copy of such written statement to acknowledge his or her receipt of same and advice as to the specifics of such policy. Such person or entity shall retain the statements signed by its employees. Such person or entity shall also post in a prominent place at all of its workplaces a written statement of its policy containing the foregoing elements (i) through (iv).
- c. Notifying the employee in the statement required by subsection 1. that as a condition of employment the employee will:
 - (i) abide by the terms of the statement; and
 - (ii) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such a conviction.
- d. At all times pertinent to the performance of any contract with Manatee County, notify the county within ten (10) days after receiving notice under

subsection c. from an employee or otherwise receiving actual notice of such conviction.

- c. Imposing appropriate personnel action against such employee up to and including termination; or requiring such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.
 - f. Making a good faith effort to continue to maintain a drug free workplace through implementation of sections a. through e. of this subsection.
2. **Severability.** If any part, section, subsection, or other portion of this Resolution, or any application thereof to any person or circumstances declared to be void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Resolution, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect.
3. **Effective Date.** This Resolution shall take effect ninety (90) days after adoption by the Board of County Commissioners.

ADOPTED in open session by a majority of the duly elected Board of County Commissioners of Manatee County, Florida, this 2nd day of February, 1993.

**ORIGINAL DOCUMENT SIGNED BY BOARD OF COUNTY COMMISSIONERS
CHAIRMAN MS. LARI ANN HARRIS ON FEBRUARY 2, 1993 AND IS ON FILE AT
MANATEE COUNTY CLERKS OFFICE.**

ATTACHMENT "B"

Drug Free Work Place Certification

SWORN STATEMENT PURSUANT TO SECTION 6-101(7)(B),
MANATEE COUNTY PURCHASING CODE

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

This sworn statement is submitted to the Manatee County Board of County Commissioners by _____
[print individual's name and title]

_____ for _____
[print name of entity submitting sworn statement]

whose business address is: _____

and (if applicable) its Federal Employer Identification Number (FEIN) is: _____ (If the entity has no FEIN,

include the Social Security Number of the individual signing this sworn statement: _____.)

I understand that no person or entity shall be awarded or receive a county contract for public improvements, procurement of goods or services (including professional services) or a county lease, franchise, concession or management agreement, or shall receive a grant of county monies unless such person or entity has submitted a written certification to the County that it will provide a drug free work place by:

(1) providing a written statement to each employee notifying such employee that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance as defined by § 893.02(4), Florida Statutes, as the same may be amended from time to time, in the person's or entity's work place is prohibited specifying the actions that will be taken against employees for violation of such prohibition. Such written statement shall inform employees about:

(i) the dangers of drug abuse in the work place;

(ii) the person's or entity's policy of maintaining a drug free environment at all its work places, including but not limited to all locations where employees perform any task relating to any portion of such contract, business transaction or grant;

(iii) any available drug counseling, rehabilitation, and employee assistance programs; and

(iv) the penalties that may be imposed upon employees for drug abuse violations.

(2) Requiring the employee to sign a copy of such written statement to acknowledge his or her receipt of same and advice as to the specifics of such policy. Such person or entity shall retain the statements signed by its employees. Such person or entity shall also post in a prominent place at all of its work places a written statement of its policy containing the foregoing elements (i) through (iv).

(3) Notifying the employee in the statement required by subsection (1) that as a condition of employment the employee will:

(i) abide by the terms of the statement; and

ATTACHMENT B (Cont'd.)

(ii) notify the employer of any criminal drug statute conviction for a violation occurring in the work place no later than five (5) days after such a conviction.

(4) Notifying the County within ten (10) days after receiving notice under subsection (3) from an employee or otherwise receiving actual notice of such conviction.

(5) Imposing appropriate personnel action against such employee up to and including termination; or requiring such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

(6) Making a good faith effort to continue to maintain a drug free work place through implementation of sections (1) through (5) stated above.

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR MANATEE COUNTY IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT ANY CONTRACT OR BUSINESS TRANSACTION SHALL PROVIDE FOR SUSPENSION OF PAYMENTS, OR TERMINATION, OR BOTH, IF THE CONTRACTING OFFICER OR THE COUNTY ADMINISTRATOR DETERMINES THAT:

- (1) Such person or entity has made false certification.
- (2) Such person or entity violates such certification by failing to carry out the requirements of sections (1), (2), (3), (4), (5), or (6) or subsection 3-101(7)(B); or
- (3) Such a number of employees of such person or entity have been convicted of violations occurring in the work place as to indicate that such person or entity has failed to make a good faith effort to provide a drug free work place as required by subsection 3-101(7)(B).

[Signature]

STATE OF FLORIDA
COUNTY OF _____

Sworn to and subscribed before me this __ day of _____, 200__ by _____

Personally known _____ OR Produced identification _____
[Type of identification]

Notary Public Signature My commission expires _____

[Print, type or stamp Commissioned name of Notary Public]

Signatory Requirement - In the case of a business entity other than a partnership or a corporation, this affidavit shall be executed by an authorized agent of the entity. In the case of a partnership, this affidavit shall be executed by the general partner(s). In the case of a corporation, this affidavit shall be executed by the corporate president.

Attachment "C"

PUBLIC CONTRACTING AND ENVIRONMENTAL CRIMES CERTIFICATION

SWORN STATEMENT PURSUANT TO ARTICLE 6, MANATEE COUNTY PURCHASING CODE

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

This sworn statement is submitted to the Manatee County Board of County Commissioners by _____
[print individual's name and title]

_____ for _____
[print name of entity submitting sworn statement]

whose business address is: _____

and (if applicable) its Federal Employer Identification Number (FEIN) is _____. If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: _____

I understand that no person or entity shall be awarded or receive a county contract for public improvements, procurement of goods or services (including professional services) or a county lease, franchise, concession or management agreement, or shall receive a grant of county monies unless such person or entity has submitted a written certification to the County that it has not:

(1) been convicted of bribery or attempting to bribe a public officer or employee of Manatee County, the State of Florida, or any other public entity, including, but not limited to the Government of the United States, any state, or any local government authority in the United States, in that officer's or employee's official capacity; or

(2) been convicted of an agreement or collusion among bidders or prospective bidders in restraint of freedom of competition, by agreement to bid a fixed price, or otherwise; or

(3) been convicted of a violation of an environmental law that, in the sole opinion of the County's Purchasing Director, reflects negatively upon the ability of the person or entity to conduct business in a responsible manner; or

(4) made an admission of guilt of such conduct described in items (1), (2) or (3) above, which is a matter of record, but has not been prosecuted for such conduct, or has made an admission of guilt of such conduct, which is a matter of record, pursuant to formal prosecution. An admission of guilt shall be construed to include a plea of nolo contendere; or

(5) where an officer, official, agent or employee of a business entity has been convicted of or has admitted guilt to any of the crimes set forth above on behalf of such an entity and pursuant to the direction or authorization of an official thereof (including the person committing the offense, if he is an official of the business entity), the business shall be chargeable with the conduct herein above set forth. A business entity shall be chargeable with the conduct of an affiliated entity, whether wholly owned, partially owned, or one which has common ownership or a common Board of Directors. For purposes of this Form, business entities are affiliated if, directly or indirectly, one business entity controls or has the power to control another business entity, or if an individual or group of individuals controls or has the power to control both entities. Indicia of control shall include, without limitation, interlocking management or ownership, identity of interests among family members, shared organization of a business entity following the ineligibility of a business entity under this Article, or using substantially the same management, ownership or principles as the ineligible entity.

Attachment C (Cont'd.)

Any person or entity who claims that this Article is inapplicable to him/her/it because a conviction or judgment has been reversed by a court of competent jurisdiction, shall prove the same with documentation satisfactory to the County's Purchasing Director. Upon presentation of such satisfactory proof, the person or entity shall be allowed to contract with the County.

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR MANATEE COUNTY IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT ANY CONTRACT OR BUSINESS TRANSACTION SHALL PROVIDE FOR SUSPENSION OF PAYMENTS, OR TERMINATION, OR BOTH, IF THE CONTRACTING OFFICER OR THE COUNTY ADMINISTRATOR DETERMINES THAT **SUCH PERSON OR ENTITY HAS MADE FALSE CERTIFICATION.**

[Signature]

STATE OF FLORIDA
COUNTY OF _____

Sworn to and subscribed before me this ____ day of _____, 20__ by _____

Personally known _____ OR Produced identification _____
[Type of identification]

Notary Public Signature My commission expires _____

[Print, type or stamp Commissioned name of Notary Public]

Signatory Requirement - In the case of a business entity other than a partnership or a corporation, this affidavit shall be executed by an authorized agent of the entity. In the case of a partnership, this affidavit shall be executed by the general partner(s). In the case of a corporation, this affidavit shall be executed by the corporate president.

ATTACHMENT "D"

AFFIDAVIT OF NO CONFLICT

STATE OF FLORIDA

COUNTY OF Manatee

BEFORE ME, the undersigned authority, this day personally appeared _____, a principal with full authority to bind _____, hereinafter the "Consultant"), who being first duly sworn, deposes and says:

(a) is not currently engaged or will not become engaged in any obligations, undertakings or contracts that will require the Consultant to maintain an adversarial role against the County or that will impair or influence the advice, recommendations or quality of work provided to the County; and

(b) has provided full disclosure of all potentially conflicting contractual relationships and full disclosure of contractual relationships deemed to raise a question of conflict(s); and

(c) has provided full disclosure of prior work history and qualifications that may be deemed to raise possible question of conflict(s).

Affiant makes this affidavit for the purpose of inducing Manatee County, a political subdivision of the State of Florida, to enter into this Agreement for

Signature

SUBSCRIBED to and sworn before me this _____ day of _____, 2008.

Notary Public

My commission expires:

Personally Known _____ or Produced Identification

Type of Identification Produced _____